

**DISTRICT COURT OF THE VIRGIN ISLANDS**

**DIVISION OF ST. CROIX**

**GOVERNMENT OF THE VIRGIN ISLANDS,  
DEPARTMENT OF HUMAN SERVICES,  
YOUTH REHABILITATION CENTER,**

**2007-CV-0059**

**Plaintiff,**

**v.**

**SEAFARERS INTERNATIONAL UNION,  
on behalf of MARIE DANIELSON,**

**Defendant,**

**and**

**MARIE DANIELSON,**

**Intervenor.**

**TO: Robert A. Malloy, Esq.  
Pedro K. Williams, Esq.  
Warren B. Cole, Esq.**

**ORDER GRANTING MOTION FOR INTERVENTION**

THIS MATTER came before the Court upon Motion For Intervention by Marie Danielson (Docket No. 52). Plaintiff filed an opposition to said motion. Proposed intervenor filed a reply in support of her motion. Plaintiff also filed a Request For Oral Argument (Docket No. 70). The time for filing a response to said motion has expired.

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Rule 24(a)(2) of the Federal Rules of Civil Procedure allows *anyone* “upon timely application” to intervene as of right

[w]hen the applicant claims an interest relating to the property or transaction which is the subject of the action and the applicant is so situated that the disposition of the action may as a practical matter impair or impede the applicant's ability to protect that interest, unless the applicant's interest is adequately represented by existing parties.

Fed. R. Civ. P. 24(a)(2).

In the instant matter, proposed Intervenor, Marie Danielson, has demonstrated that she has “an interest relating to the property or transaction which is the subject of the action.” The arbitration award and opinion Plaintiff seeks to have vacated involves an award and benefits belonging to Marie Danielson.

Proposed Intervenor also claims that her ability to protect such interest may be impeded or impaired due to the fact that the existing party representing such interest, Seafarers International Union, cannot continue to bear the litigation costs needed to continue to represent Marie Danielson’s interest adequately. Based upon the foregoing, the Court finds that Marie Danielson is entitled to intervention as of right.

Accordingly, it is now hereby **ORDERED**:

1. Motion For Intervention by Marie Danielson (Docket No. 53) is **GRANTED**.

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2. Plaintiff's Request For Oral Argument (Docket No. 70) is **DENIED AS MOOT.**
3. The caption in this matter shall appear as hereinabove.

ENTER:

Dated: May 15, 2008

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/s/  
GEORGE W. CANNON, JR.  
U.S. MAGISTRATE JUDGE